

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CAROLYN PLACHT, on behalf of the Symbria Inc. Employee Stock Ownership Plan, <i>et al.</i>,)	Case No.: 1:21-cv-05783
)	
Plaintiff,)	Hon. Ronald A. Guzman
)	
-v-)	
)	
ARGENT TRUST COMPANY, <i>et al.</i> ,)	
)	
Defendants.)	
)	
)	

**JOINT NOTICE OF RESOLUTION OF DISCOVERY DISPUTE OF PLAINTIFF
CAROLYN PLACHT AND
DEFENDANTS JILL KRUEGER AND THOMAS NOESEN, JR**

Plaintiff Carolyn Placht (“Plaintiff”) and Defendants Jill Krueger (“Krueger”) and Thomas Noesen, Jr. (“Noesen”) (collectively, “Defendants”), file this Joint Notice to inform the Court that they have reached agreement resolving the discovery disputes raised in Plaintiff’s Motion to Compel (ECF No. 80) (the “Motion”), making it moot.

As a part of the agreement resolving these disputes, Defendants have agreed to produce two categories of documents previously withheld from production and listed on their privilege log. These categories are: (1) documents and communications exchanged between the Symbria, Inc. (“Symbria”) Board of Directors and its committees and members (the “Board”) and its counsel, Krieg DeVault LLP (“KD”), on the one hand, and Defendants or their representatives on the other pertaining to management’s compensation and interests including salary, deferred compensation, bonuses, their equity incentive plan, SARs, warrants, treatment of management’s notes, Board composition post ESOP Transaction, and related issues; and (2) documents and communications

exchanged between the Board and/or KD, on the one hand, and Defendants and/or Symbria's, counsel (Holland & Knight, LLP) and/or financial advisor (Verit Advisors), on the other, prior to the engagement of Argent Trust Company as ESOP Trustee on May 27, 2015. A log of the documents Defendants will produce pursuant to this agreement is attached as **Exhibit 1**.

Defendants will produce the documents identified on **Exhibit 1** within 10 days of a Court order denying the Plaintiff's Motion as moot. Plaintiff and Defendants will serve a copy of this filing reflecting the compromise agreement and accompanying log of documents on counsel for all current and former parties to this case, and Krieg DeVault LLP.

In accordance with the agreement outlined above and resolution of the disputes necessitating the Motion, the Parties request that Plaintiff's Motion to Compel (ECF No. 80) be denied as moot.

Dated: October 3, 2022

Respectfully submitted,

/s/ Patrick O. Muench

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CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2022, the foregoing Joint Notice was electronically filed using the CM/ECF system, which will send notification of such filing to all registered participants.

Additionally, the foregoing was served via electronic mail on the following:

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